

REMARKS

Claims 1-16 are pending in the Application and stand rejected. In response to the Office Action, Applicants have traversed the rejection. To advance prosecution of this case, however, claims 1, 3-4, 9, and 11-14 have been amended, and claims 2, 5-7, 10 and 15 have been cancelled without prejudice. For the reasons provided herein, the Application is believed to be in condition for allowance, which action is respectfully requested.

Specification

In paragraph 1 of the Office Action, the Examiner objected to the Specification, reminding Applicants of the proper language and format for an Abstract of the Disclosure. In response, Applicants have amended the Specification by entirely replacing the existing Abstract with one that clearly meets the format described by the Examiner. For this reason Applicants respectfully suggest that this ground for objection has been overcome.

Claim Rejections – 35 USC § 103

In paragraphs 2 and 3 of the Office Action, the Examiner rejected claims 1-16 under 35 USC 103(a) as being unpatentable over *Vialen et al.* (U.S. Patent No. 6,898,429) in view of *Sharma* (U.S. Pat. Pub. No. 2005/0009527 (U.S. Provisional Application No. 60/486,584, referred to hereinafter as the *Sharma Provisional*)). In response, Applicants respectfully traverse, for the reasons set forth below. In addition, however, Applicants have amended the claims to further highlight the distinctive features of the present invention and expedite prosecution.

Applicants respectfully ask for clarification of the rejection as stated in the Office Action. The Examiner again refers to the published utility application *Sharma*. Applicants again point out that *Sharma* was published on 13 Jan 2005, and filed on 28 Jun 2004. The present Application was filed on 29 Sep 2003, meaning that *Sharma* cannot be cited as prior art against it. Although the *Sharma Provisional* is now also cited, and apparently applied against the claims, Applicants object to any reference to *Sharma* itself as grounds for rejection. Applicants believe that the Examiner is, by continuing to cite *Sharma*, indicating that the *Sharma*

Provisional reference alone is not sufficient to support the rejection. (And Applicants believe that it is not.)

Initially, however, it is noted that the present invention is directed to a UE (user equipment) device that is operable in a certain manner, and to a method of operating it in that manner. More specifically, independent claim 1 is directed to a method of processing a message in a UE device and independent claim 9 is directed to a UE device arranged to perform this method. *Vialen* simply does not deal with the response of a UE device to a CUC (Cell Update Confirm) message. In the Office Action, the *Vialen* Abstract is cited, but there it is taught that a c-RNTI identifier is attached by network entities to a message being sent to the UE - after a *network check* reveals the UE is or is about to enter a state requiring the c-RNTI. No action on the part of the UE is indicated (except that it will apparently receive the message when it is sent). The present invention may presumably be employed if the network fails in its task, but the only suggestion to do so is contained in the present Application.

Vialen therefore fails to disclose a method executed in a UE device that, upon receiving a CUC message, determines whether the UE device has an empty cell identifier variable or subsequently determining whether the received CUC message includes a value for the cell identifier. It follows that *Vialen* also fails to teach or suggest carrying out any steps as a result of these determinations. Claim 9 is distinguishable from *Vialen* for analogous reasons.

The *Sharma Provisional* does not supply these missing features. Although Figure 3 of the *Sharma Provisional* “is an illustration of a CELL_FACH without C-RNTI” (*see* p. 6, line 15), Figure 3 is simply an illustration of a basic problem (that is, “procedure . . . fails because the UE does not have C-RNTI”). The same is true of *Sharma Provisional* at p. 4, line 4 – p. 5, line 7. At p. 3, lines 1-10 (and Figure 2). *Sharma Provisional* does discuss the UE’s acquisition of a C-RNTI through the Cell Update procedure, but does not disclose determining, subsequent to receipt of a CUC message, whether the UE has an empty cell identifier variable, then, if so, determining whether the received CUC message includes a value for the cell identifier, or thereafter carrying out any steps as a result of these determinations.

In addition, independent claims 1 and 9 have been amended to include the limitation of setting INVALID_CONFIGURATION to TRUE prior to entering the state as a result of the Cell

Update Confirm message. Applicants note that this amendment is made to only to advance prosecution of this case; as pointed out above, the combination of *Vialen* and *Sharma Provisional* does not reach the claims as currently pending. Nevertheless, neither *Sharma Provisional* or *Vialen* mentions setting INVALID_CONFIGURATION to TRUE, and the claims as herein amended are further distinguishable for that reason.

This limitation was previously found in claims 2 and 10, which have been cancelled without prejudice (as have claims 5-7 and 15). The remaining dependent claims 3-4, 8, 11-14, and 16 depend from a respective one of independent claims 1 or 9, and are also distinguishable from the cited references at least by reason of their dependency.

For these reasons, Applicants respectfully suggest that this ground for rejection has been overcome.

Accordingly, reexamination and reconsideration of the claims, and consideration for their allowance, is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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